

1 J. Noah Hagey, Esq. (SBN: 262331)
hagey@braunhagey.com
2 Matthew Borden, Esq. (SBN: 214323)
borden@braunhagey.com
3 David H. Kwasniewski, Esq. (SBN: 281985)
kwasniewski@braunhagey.com
4 Tracy O. Zinsou, Esq. (SBN: 285985)
zinsou@braunhagey.com
5 H. Chelsea Tirgardo, Esq. (SBN: 340119)
tirgardo@braunhagey.com
6 BRAUNHAGEY & BORDEN LLP
7 747 Front Street, 4th Floor
8 San Francisco, CA 94111
Telephone: (415) 599-0210
Facsimile: (415) 276-1808
9 ATTORNEYS FOR PLAINTIFF
B&G FOODS NORTH AMERICA, INC.
10
11

12 **UNITED STATES DISTRICT COURT**
13 **EASTERN DISTRICT OF CALIFORNIA**
14

15 B&G FOODS NORTH AMERICA, INC.,
16 Plaintiff,
17 v.
18 KIM EMBRY and ENVIRONMENTAL
19 HEALTH ADVOCATES, INC., acting as
enforcement representatives under California
Proposition 65 on behalf of the State of
California,
20 Defendants.
21
22

Case No. 2:20-cv-00526-KJM-DB

**B&G FOODS NORTH AMERICA,
INC.'S NOTICE OF ERRATA TO
OPPOSITION TO DEFENDANTS KIM
EMBRY AND ENVIRONMENTAL
HEALTH ADVOCATES, INC.'S
MOTION FOR SUMMARY
JUDGMENT**

Judge: Hon. Kimberly J. Mueller
Courtroom: 3
SAC Filed: November 23, 2022
Trial Date: None Set

23
24
25
26
27
28

1 **TO THE COURT, ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE** that on August 2, 2024, Plaintiff B&G Foods North America,
3 Inc. (“B&G Foods”) filed its Opposition to Defendants Kim Embry and Environmental Health
4 Advocates, Inc.’s Motion for Summary Judgment (“Opposition”). B&G Foods inadvertently filed a
5 version of its Opposition which omitted the content included herein and was not the latest version.
6 B&G Foods accordingly files the correct and final version of B&G Foods’s Opposition.

7 • Attached hereto as Exhibit 1 is a corrected and final version of B&G Foods’s Opposition
8 to Defendants Kim Embry and Environmental Health Advocates, Inc.’s Motion for
9 Summary Judgment.

10 B&G Foods genuinely apologizes to the Court and opposing counsel for any
11 inconvenience that the above referenced issues have caused.

12
13 Dated: August 3, 2024

Respectfully Submitted,

14 BRAUNHAGEY & BORDEN LLP

15
16 By: 
Matthew Borden

17
18 *Attorneys for Plaintiff*
B&G Foods North America, Inc.

19
20
21
22
23
24
25
26
27
28